

(A) ET, S.

**UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK**

ECF

**IN RE TERRORIST ATTACKS
ON SEPTEMBER 11, 2001**

03 MDL 1570 (RCC)

This document relates to:

*Estate of John P. O'Neill, Sr., et al v. Al Baraka Inv. & Dev. Corp., et al, 04-CV-1923
(RCC)*

Estate of John P. O'Neill, Sr., et. al v. Republic of Iraq, et. al., 04- CV- 1076 (RCC)

**STIPULATED EXTENSION OF TIME
TO ANSWER OR OTHERWISE PLEAD**

TO THE HONORABLE COURT:

NOW APPEAR, without submitting to the jurisdiction of this Court, Martin Wachter, Erwin Wachter, Secor Treuhand Anstalt, and Asat Trust Reg., by and through the undersigned counsel, along with the undersigned counsel representing the Plaintiffs in these matters, and respectfully stipulate and agree to, subject to the approval of this Court, as follows:

1. On or about March 14, 2005, Martin Wachter, Erwin Wachter, Secor Treuhand Anstalt, and Asat Trust Reg. ("Stipulating Defendants") each received letters from Gina M. MacNeil, Esq., of the Law Offices of Jerry S. Goldman & Associates, P.C., attorneys for the Plaintiffs in the above-referenced action, sent by the Clerk of the United States District Court for the Southern District of New York, enclosing a copy of the Original Complaint, First Amended Complaint, Second Amended Complaint and Summons in these cases.

2. Assuming *arguendo* that receipt of these letters constituted effective service of process upon these Stipulating Defendants, a responsive pleading would have been due on April 4, 2005.

3. Prior to the responsive pleading due date, Plaintiffs and the herein appearing Defendants entered into a stipulation under which a responsive pleading would become due thirty (30) days from the date of filing of the RICO Statements for the Stipulating Defendants.

4. The RICO Statements were filed on May 31, 2005, making Defendants' initial pleading due on June 30, 2005.

5. After Plaintiff filed the RICO Statements, an Amended Complaint was filed and a letter was sent to the Court (dated June 15, 2005) regarding the issue of service of process.

6. In light of both of these occurrences, the herein appearing Defendants require an additional thirty (30) days, that is until August 1, 2005, to prepare their initial pleading.

7. Plaintiff shall have forty five (45) days from the filing of such pleading, to respond.

8. Stipulating Defendants shall have thirty (30) days from the receipt of such response to file a reply, if warranted and/or permitted.

RESPECTFULLY SUBMITTED this 21st day of June, 2005.

Coburn & Schertler



Lisa Flahberg (S.D.N.Y. # LF6946)

Barry Coburn (request for admission *pro hac vice* forthcoming)

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ATTORNEYS FOR MARTIN WACHTER,
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ANSTALT and ASAT TRUST REG.

And

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ATTORNEYS FOR PLAINTIFFS

June 21, 2005

So ordered this 23 day of June, 2005

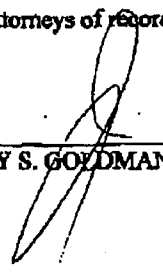


Hon. Richard C. Casey,
United States District Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same date a true and exact copy of this document was submitted to the Court using the ECF electronic filing system, thereby causing this document to be served electronically upon all the attorneys of record in these proceedings.

June 21, 2005



JERRY S. GOLDMAN, ESQ.